

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT PIERCE DIVISION**

JEFFERY BUONGIORNO,

Plaintiff,

vs.

CASE NO.: 9:24-cv-80920-AMC

ALEJANDRO MAYORKAS, in his official capacity as the Secretary of the United States Department of Homeland Security, et al.,

Defendants.

**MOTION FOR EXTENSION OF TIME TO RESPOND TO
AMENDED MOTION FOR TEMPORARY RESTRAINING ORDER**

Defendants James Cord Byrd, in his official capacity as the Secretary of State of the State of Florida, Ashley Moody, in her official capacity as the Attorney General of the State of Florida, Maria Matthews, in her official capacity as the Director of the Division of Elections, Florida Department of State, Shevaun Harris, in her official capacity as the Secretary of the Department of Children and Families of the State of Florida, and Dave Kerner, in his official capacity as the Chief Administrator of the Florida Department of Highway Safety and Motor Vehicles (the State Defendants), by and through undersigned counsel and pursuant to Fed. R. Civ. P. 7(b) and S.D. Fla. rules 7.1(a)(1)(J) and 7.1(a)(3), and as good cause therefore would show:

1. Plaintiff filed his Second Amended Complaint on September 9, 2024 [ECF 42]
2. On September 13, 2024, Plaintiff filed its Second Amended Motion for Temporary Restraining Order. [ECF 48]
3. Pursuant to S.D. Fla. R. 7.1(e), Defendants' responses in opposition to Plaintiff's

Motion for Temporary Restraining Order is due within two weeks, or by this Friday, September 27, 2024.

4. Undersigned counsel for the State Defendants is located in Tallahassee, which is currently under a hurricane watch. Tropical Storm Helene is currently expected to make landfall on Florida's Gulf coast south of Tallahassee as a category 3 hurricane with winds of 115 miles per hour on Thursday, September 26, 2024. The Attorney General's offices in Tallahassee, Tampa, and St. Petersburg will be closed on noon on Wednesday, September 25, 2024 and all day on Thursday, September 26, 2024 because of the hurricane. The office closures in Tallahassee may be extended if protracted storm-related power outages result.

5. Given the disruptions to be caused by Hurricane Hermine, the State Defendants respectfully request that this Court grant all Defendants an extension until Monday, October 7, 2024 to submit responses in opposition to Plaintiff's Amended Motion for Temporary Restraining Order.

6. Pursuant to S.D. Fla. rule 7.1(a)(1)(J), no Memorandum of Law is required for this motion.

CERTIFICATION OF CONFERAL

Undersigned counsel for the State Defendants hereby certifies that he has conferred with all other parties by email and telephone on September 24, 2024 in a good faith effort to resolve by agreement all issues raised in this motion. Counsel for all other remaining Defendants have agreed to the requested extension, but Plaintiff Jeff Buongiorno has advised that he objects to the requested extension.

Respectfully submitted this 25th day of September 2024.

ASHLEY MOODY
FLORIDA ATTORNEY GENERAL

/s/ Timothy L. Newhall

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which provides notice to all parties, and sent by email to Plaintiff Jeff Buongiorno at Jeff@etektraining.com on this 25th day of September 2024.

/s/ Timothy L. Newhall
Timothy L. Newhall